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Robert D. Shedd, Patent Operations			EXAMINER	
THOMSON Licensing LLC			ROSE, KERRI M	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/534,629

Applicant(s)

DELEU ET AL.

Examiner

KERRI M. ROSE

Art Unit

2474

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-9 and 11 is/are rejected.
- 7) ☒ Claim(s) 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see page 6, filed 9/10/09, with respect to the rejection(s) of claim(s) 1-8 under 102 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of new references Anthe and Moyer.

Claim Objections

2. Claim 4 is objected to because of the following informalities: Claim 4 depends from canceled claim 2. Examiner assumes it is meant to depend from claim 1. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-8, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bhatia et al. (US 6,029,203) in view of Anthe et al. (US 2003/0236865) and Moyer et al. (US 6,766,364).

5. In regards to claim 1, Bhatia discloses a router or bridge device (Fig. 1 element 300 is an ISDN modem with internal router.) comprising:

- a. Means for connection to a first network (Fig. 1 discloses the modem is connected to local workstations [network], 10, a PSTN, 50, and remote networks, 60 and 70.),

wherein said first network is different from said second network (Col. 10 lines 26-30 indicate the remote networks may be Internet or private, both of which are different from the PSTN network.) and

b. Means for connection to a second network (Fig. 1 discloses the modem is connected to local workstations [network], 10, a PSTN, 50, and remote networks, 60 and 70);

c. An application for selecting configuration parameters (Fig. 4a discloses an application 4020.), wherein the application applies a template for presenting parameters to a user (Fig. 9a-c discloses the application uses a template to help the user configure the modem.), said template being uploadable to said device (Fig. 28 discloses a process for uploading or creating template files from the web server. The new files are stored in modem memory, 370, as disclosed in fig. 29).

Bhatia does not disclose means for storing a plurality of template files; means for uploading a template file; and the application is an installation application adapted for configuring said device and customizing the operation of a wizard, said template being selected from the plurality of templates.

Anthe discloses means for storing a plurality of template files (Fig. 2 discloses a server, 202, storing at least two different templates, 210 and 212.). Anthe also discloses the application is an intallation application adapted for configuring said device and customizing the operation of a wizard (Paragraph 10 indicates the wizard is modified based upon the template selected. If the user wants to configure VPN access the wizard uses different screens and questions than if the

user selects dial-in access.), said template being selected from the plurality of templates (Paragraph 10 discloses selecting a template from the two stored templates.).

It would have been obvious to one of ordinary skill in the art at the time of the invention to store a plurality of template files for modifying the wizard, as taught by Anthe, in the wizard configuration of Bhatia because doing so enables quick, easy, cost effective configuration of multiple devices. As taught by Anthe in paragraph 8 without such a method configuring each machine requires a knowledgeable user to physically visit each machine and input detailed parameters.

Moyer discloses means for uploading a template file (Fig. 5 depicts a process for initiating a configuration by accessing an external system for information. As described in col. 6 lines 60 – col. 7 line 21 the external system provides a new configuration template that is used for configuration. The new template is then stored in the database for future use.).

It would have been obvious to one of ordinary skill in the art at the time of the invention to upload a template, as taught by Moyer, in the wizard configuration of Bhatia because doing so allows a user to access any service available from an external source, even if the device was not originally capable of using the service, as described by Moyer in col. 2 lines 60-64. This allows the user much greater device flexibility and means advances in technology do not necessarily make a device obsolete.

6. In regards to claim 3, Bhatia discloses a device according to claim 1, wherein the application comprises means for generating a template selection display to a user (Col. 25 lines 8-28 disclose presenting a selection display to a user.).

7. In regards to claim 4, Bhatia discloses a device according to claim 1, wherein the application comprises means for loading a template from at least one of (use of alternative language means only one of the following needs to be taught by Bhatia): a host device connected to the second network, a server connected to the first network (Fig. 28 discloses a process for uploading or creating template files from the web server. The new files are stored in modem memory, 370, as disclosed in fig. 29.).

8. In regards to claim 5, Bhatia discloses a device according to claim 1, wherein said application is a web server provided with means for generating pages for display on a remote display (Col. 24 lines 16-22 discloses using a webpage displayed on a host device browser and web server to access the configuration tool.).

9. In regards to claim 6, Bhatia discloses a device according to claim 5, wherein said display is part of a host device comprising a browser for accessing the pages and for interacting with a user for selection of the configuration parameters (Col. 24 lines 16-22 discloses using a webpage displayed on a host device browser and web server to access the configuration tool.).

10. In regards to claim 7, Bhatia discloses a device according to claim 1, wherein the application is adapted to generate at least one configuration file based on at least one template (Fig. 22 discloses dynamic configuration of an ISP wizard. Fig. 24 illustrates an example ISP wizard.).

11. In regards to claim 8, Bhatia discloses a device according to claim 7, comprising a factory default configuration (Col. 24 line 29 discloses the modem has a factory default.).

12. In regards to claim 11, Anthe discloses device according to claim 1, wherein the template defines at least one of the following parameters (optional language indicates only one of the

following must be taught to satisfy the claim): the number of screens, the titles of the screens, subtitles and help text, the questions asked on every screen, and the selection options for every screen (Anthe presents several sample wizard screens in figs. 3-8. As illustrated by the screens the questions asked on each screen are different, as specified by the template, dependent upon the type of configuration selected by the user.).

13. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bhatia et al. (US 6,029,203) in view of Anthe et al. (US 2003/0236865) further in view of Moyer et al. (US 6,766,364) further in view of Polit et al. (US 6,407,998).

14. In regards to claim 9, Bhatia discloses a device according to claim 7, but is silent comprising a configuration predetermined by an Internet service provider.

Polit discloses a service provider may transmit configuration data in step 710 of fig. 7.

It would have been obvious to one of ordinary skill in the art at the time of the invention to receive data from an ISP, as taught by Polit, to configure the device, as taught by Bhatia because doing so allows for more generic equipment that may be personalized by the end user, as taught by Polit in column 1 lines 15-55.

15. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bhatia et al. (US 6,029,203) in view of Polit et al. (US 6,407,998) further in view of known prior art.

Allowable Subject Matter

16. Claim 10 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KERRI M. ROSE whose telephone number is (571) 272-0542. The examiner can normally be reached on Monday through Thursday, 6 am - 3 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung MOE can be reached on (571) 272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aung S. Moe/
Supervisory Patent Examiner, Art Unit 2474

/Kerri M Rose/
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